



gm 3629

BAKER BOTTS LLP

Please type a plus sign (+) inside this box → ☐

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/593,785
	Filing Date	June 14, 2000
	First Named Inventor	Thomas Shreiner et al.
	Group Art Unit	3629
	Examiner Name	Chi Q. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	AP32438 - 070121.0425

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks <input type="checkbox"/>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	 Att Name: Gary M. Butter PTO Reg: 33,841
Date	January 21, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: January 21, 2003	
Typed or printed name	Gary M. Butter
Signature	
Date	January 21, 2003



BAKER BOTTS LLP

Attorney Docket Number: AP32438 - 070121.0425

Title: EXPANSION JOINT COVER WITH MODULAR CENTER PLATE

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Use Space Below for Additional Information:

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0)

Complete if Known

Application Number	09/593,785
Filing Date	June 14, 2000
First Named Inventor	Thomas Shreiner et al.
Examiner Name	Chi Q. Nguyen
Art Unit	3629
Attorney Docket No.	AP32438 - 070121.01-25

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
 Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20	- 20 = 0	0	0
Independent Claims	2	- 3 = 0	0
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued) JAN 31 2003

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

GROUP 3600

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Gary M. Butter

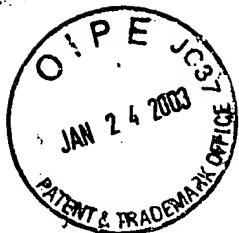
Registration No.
(Attorney/Agent)

33,841

Telephone 212 408-2546

Signature

Date January 21, 2003



FILE NO. AP32438 - 070121.0425
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

8/A

D. N. N. L.
2/4/03

Applicant : Thomas Shreiner et al.

Serial No. : 09/593,785

Examiner : Chi Q. Nguyen

Filed : June 14, 2000

Group Art Unit:

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For : EXPANSION JOINT COVER WITH MODULAR CENTER PLATE

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AMENDMENT

I hereby certify that this paper is being deposited
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January 21, 2003

Date of Deposit

Gary M. Butter
Attorney Name

33,841

PTO Registration No

Gary M. Butter
Signature

January 21, 2003

Date of Signature

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In the Office Action dated December 20, 2002, the Examiner required Applicants
to elect a single disclosed species for prosecution on the merits. The Examiner has identified
five species:

Species number 1: Fig. 3

Species number 2: Fig. 8

Species number 3: Fig. 10

Species number 4: Fig. 12

Species number 5: Fig. 14

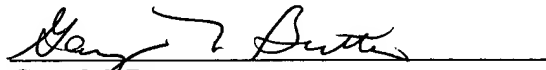
Applicants provisionally elect, with traverse, species number 2 illustrated in Fig. 8 as part of the above-referenced application. Claims 1-5, 8-10, 13-16 and 19-20 read on the embodiment illustrated in Fig. 8.

It is Applicant's view that at least independent claims 1 and 13 are generic to the species identified by the Examiner. Each of the five species illustrates a different shape for the claimed formed members. However, neither claim 1 nor claim 13 is limited to a specific shape. Thus, claims 1 and 13 are believed to be generic to the five species.

Please cancel claims 6, 7, 11, 12, 17 and 18 without prejudice to reinstate these claims if a generic claim such as presently pending claim 1 or 13 is allowed.

Applicant does not believe that any fee is required in connection with the submission of this Amendment. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit.

Respectfully submitted,



Gary M. Butter
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